

Effective 5/12/2015

Superseded 5/10/2016

35A-3-304 Assessment -- Participation requirements and limitations -- Employment plan -- Mentors.

- (1)
- (a) Within 30 business days of the date of enrollment, the department shall provide that a parent recipient:
 - (i) is assigned an employment counselor; and
 - (ii) completes an assessment provided by the department regarding the parent recipient's:
 - (A) prior work experience;
 - (B) ability to become employable;
 - (C) skills; and
 - (D) likelihood of a substance use disorder involving the misuse of a controlled substance.
 - (b) The assessment provided under Subsection (1)(a)(ii) shall include:
 - (i) a survey to be completed by the parent recipient with the assistance of the department; and
 - (ii) a written questionnaire to be completed by the parent recipient designed to accurately determine the likelihood of the parent recipient having a substance use disorder involving the misuse of a controlled substance.
 - (c) In addition to the other requirements of this part, if the results of the written questionnaire taken by a parent recipient indicate a reasonable likelihood that the parent recipient has a substance use disorder involving the misuse of a controlled substance, the parent recipient may only receive cash assistance provided under this part in accordance with the additional requirements of Section 35A-3-304.5.
- (2)
- (a) Within 15 business days of a parent recipient completing an assessment, the department and the parent recipient shall enter into an employment plan.
 - (b) The employment plan shall have a target date for entry into employment.
 - (c) The department shall provide a copy of the employment plan to the parent recipient.
 - (d) For the parent recipient, the employment plan may include:
 - (i) job searching requirements;
 - (ii) if the parent recipient does not have a high school diploma, participation in an educational program to obtain a high school diploma, or its equivalent;
 - (iii) education or training necessary to obtain employment;
 - (iv) a combination of work and education or training; and
 - (v) assisting the Office of Recovery Services in good faith to:
 - (A) establish the paternity of a minor child; and
 - (B) establish or enforce a child support order.
 - (e) If the parent recipient tests positive for the unlawful use of a controlled substance after taking a drug test under Section 35A-3-304.5, the employment plan shall include an agreement by the parent recipient to:
 - (i) participate in treatment for a substance use disorder; and
 - (ii) meet the other requirements of Section 35A-3-304.5.
 - (f) The department's responsibilities under the employment plan may include:
 - (i) providing cash and other types of public and employment assistance, including child care;
 - (ii) assisting the parent recipient to obtain education or training necessary for employment;
 - (iii) assisting the parent recipient to set up and follow a household budget; and
 - (iv) assisting the parent recipient to obtain employment.

- (g) The department may amend the employment plan to reflect new information or changed circumstances.
- (h) If immediate employment is an activity in the employment plan, the parent recipient shall:
 - (i) promptly commence a search for employment for a specified number of hours each week; and
 - (ii) regularly submit a report to the department on:
 - (A) how time was spent in search for a job;
 - (B) the number of job applications completed;
 - (C) the interviews attended;
 - (D) the offers of employment extended; and
 - (E) other related information required by the department.
- (i)
 - (i) If full-time education or training to secure employment is an activity in an employment plan, the parent recipient shall promptly undertake a full-time education or training program.
 - (ii) The employment plan may describe courses, education or training goals, and classroom hours.
- (j)
 - (i) The department may only provide cash assistance under this part if the parent recipient agrees in writing to make a good faith effort to comply with the parent recipient's employment plan.
 - (ii) The department shall establish a process to reconcile disputes between a parent recipient and the department as to whether:
 - (A) the parent recipient has made a good faith effort to comply with the employment plan; or
 - (B) the department has complied with the employment plan.
 - (iii) If a parent recipient consistently fails to show good faith in complying with the employment plan, the department may seek to terminate all or part of the cash assistance services provided under this part.
- (3) The department may only provide cash assistance on behalf of a minor child under this part if the minor child is:
 - (a) enrolled in and attending school in compliance with Sections 53A-11-101.5 and 53A-11-101.7; or
 - (b) exempt from school attendance under Section 53A-11-102.
- (4) This section does not apply to a person who has received diversion assistance under Section 35A-3-303.
- (5)
 - (a) The department may recruit and train volunteers to serve as mentors for parent recipients.
 - (b) A mentor may advocate on behalf of a parent recipient and help a parent recipient:
 - (i) develop life skills;
 - (ii) implement an employment plan; or
 - (iii) obtain services and support from:
 - (A) the volunteer mentor;
 - (B) the department; or
 - (C) civic organizations.